

Walnut Valley Unified School District

"KIDS FIRST - Every Student, Every Day"

Robert P. Taylor, Ed.D., Superintendent
880 S. Lemon Avenue • Walnut, California 91789 • Tel. (909) 595-1261

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

60 September 13, 2016



LORI GLASGOW
EXECUTIVE OFFICER

August 11, 2016

Dean C. Logan, Registrar of Voters
County of Los Angeles Registrar of Voters
12400 Imperial Highway
Norwalk, CA 90650

Lori Glasgow, Executive Officer/ Clerk of the Board,
Board of Supervisors, Los Angeles County
500 W. Temple Street
Los Angeles, CA 90012

Re: Walnut Valley Unified School District November 8, 2016, Bond Measure Election

Dear Sir/Madam:

Enclosed please find the Walnut Valley Unified School District Board of Trustees RESOLUTION NO. 17-02 "RESOLUTION OF THE BOARD OF TRUSTEES OF THE WALNUT VALLEY UNIFIED SCHOOL DISTRICT ORDERING AN ELECTION, AND ESTABLISHING SPECIFICATIONS OF THE ELECTION ORDER" adopted on August 10, 2016, calling for a November 8, 2016, local bond election.

Also enclosed is our Tax Rate Statement.

We expect Exhibit B to be printed in its entirety in each sample ballot/voter pamphlet.

By this letter we are formally requesting to review a proof of the ballot statement language, the full text of the ballot proposition, impartial analysis and ballot arguments that would appear in the voter pamphlet prior to publishing. Please direct this proof to the undersigned as soon as it is available.

We believe that Education Code Section 15122.5 is not applicable and we request that the County not include the following "State Matching Funds" language in the ballot or voter pamphlet:

"Approval of Measure _____ does not guarantee that the proposed project or projects in the Walnut Valley Unified School District that are the subject of bonds under Measure _____ will be funded beyond the local revenues generated by Measure _____. The district's proposal for the project or projects may assume the receipt of matching state funds, which could be subject to appropriation by the Legislature or approval of a statewide bond measure."

We would be more than happy to provide you with the resolution electronically in order to facilitate your work, or to assist with this process in any other manner.

This letter also authorizes you to contact David Casnocha of Stradling Yocca Carlson & Rauth, our bond counsel, at (415) 283-2241 if you have any questions.

Sincerely,



Dr. Robert P. Taylor
Superintendent

Enclosures

cc: David G. Casnocha

Tax Rate Statement
Walnut Valley Unified School District
Bond Measure
November 8, 2016 Election

To: The voters voting in the November 8, 2016, election on the question of the issuance of \$152,880,000 General Obligation Bonds of the Walnut Valley Unified School District.

You are hereby notified in accordance with Section 9401 of the Elections Code of the State of California of the following:

1. The best estimate from official sources of the tax rate which would be required to be levied to fund principal and interest payments during the first fiscal year after the first sale of bonds, based on assessed valuations available at the time of the election and taking into account estimated future growth, is the following:

\$0.039000 per \$100 of assessed valuation, which equates to \$39.00 per \$100,000.

First fiscal year after the first sale of bonds: 2017-2018.

2. The best estimate from official sources of the tax rate which would be required to be levied to fund principal and interest payments during the first fiscal year after the last sale of bonds and an estimate of the year in which that rate will apply, based on assessed valuations available at the time of the election and taking into account estimated future growth, is as follows:

\$0.039000 per \$100 of assessed valuation, which equates to \$39.00 per \$100,000.

First fiscal year after last sale of bonds: 2026-2027.

3. The best estimate from official sources of the highest tax rate which would be required to be levied to fund principal and interest payments on the bonds and an estimate of the year in which that rate will apply, based on assessed valuations available at the time of the election and taking into account estimated future growth, is as follows:

\$0.039000 per \$100 of assessed valuation, which equates to \$39.00 per \$100,000.

Year of highest tax rate: 2017-2018 and thereafter.

4. The best estimate from official sources of the total debt service, including the principal and interest, which would be required to be repaid, if all of the bonds are issued and sold, based on interest rate information along with assessed valuations available at the time of the election and taking into account estimated future growth, is as follows:

Estimated total debt service, including the principal and interest: \$305,911,275.

The attention of all voters is directed to the fact that the foregoing information is based upon projections and estimates only. The actual tax rates and the years in which they will apply may vary from those presently estimated, due to variations from these estimates in the timing of bond sales, the amount of bonds sold and market interest rates at the time of each sale, and actual assessed valuations over the term of repayment of the bonds. The date of sale and the amount of bonds sold at any given time will be determined by the District based on its need for construction funds and other factors. The actual interest rates at which the bonds will be sold will depend on the bond market at the time of sale. Actual future assessed valuations will depend upon the amount and value of taxable property within the District as determined by the County Assessor in the annual assessment and the equalization process. Accordingly, the actual tax rates and the years in which such rates are applicable may vary from those presently estimated as above stated.

Superintendent of the
Walnut Valley Unified School District



Robert P. Taylor, Ed.D.

WALNUT VALLEY UNIFIED SCHOOL DISTRICT

Business Services Division

WVUSD RESOLUTION # 17-02

RESOLUTION OF THE BOARD OF TRUSTEES OF THE WALNUT VALLEY UNIFIED SCHOOL DISTRICT ORDERING AN ELECTION, AND ESTABLISHING SPECIFICATIONS OF THE ELECTION ORDER

WHEREAS, the Board of Trustees (the "Board") is committed to maintaining the quality of education in local public schools by upgrading classrooms, science labs and computer systems to keep pace with technology; and

WHEREAS, our local schools are among the highest performing in the State and Nation; and

WHEREAS, nonetheless, the Board has determined that local neighborhood schools within the Walnut Valley Unified School District (the "District") need to be upgraded, repaired, improved and better equipped to help ensure that all students have equal access to updated classrooms, labs, and modern instructional technology.

WHEREAS, the Board believes that if we want students to succeed in college and careers, they must be skilled in the use of 21st Century technologies and have a solid background in science math, engineering and technology; and

WHEREAS, the Board believes it is a wise investment to protect the quality of our schools, the quality of life in our community and the value of our homes; and

WHEREAS, the State of California (the "State") is not providing the District with enough money for the District to adequately maintain its educational facilities and academic programs; and

WHEREAS, the Board has concluded that the District's only remedy to avoid undermining its educational programs is securing local funding that the State cannot take away or be used for other purposes; and

WHEREAS, the Board has received information regarding the possibility of local bond measure and its ability to significantly impact providing a 21st Century education in science, technology, engineering, arts and math (STEAM); and

WHEREAS, such a measure will help provide funds that cannot be taken away by the State to upgrade aging schools to keep pace with changing technologies, protect student safety, and add classrooms, updated labs, libraries, health science centers and other school facilities; and

WHEREAS, such measure will include mandatory taxpayer protections, including an independent citizens' oversight committee and mandatory audits to ensure funds are spent properly; and

WHEREAS, the Board and District have solicited extensive stakeholder and community input on school priorities from parents, teachers, staff, the community and civic leaders; and

WHEREAS, on November 7, 2000, the voters of California approved the Smaller Classes, Safer Schools and Financial Accountability Act ("Proposition 39") which reduced the voter threshold for *ad valorem* tax levies used to pay for debt service on bonded indebtedness to 55% of the votes cast on a school district general obligation bond; and

WHEREAS, concurrent with the passage of Proposition 39, Chapter 1.5, Part 10, Division 1, Title 1 (commencing with Section 15264) of the Education Code (the "Act") became operative and established requirements associated with the implementation of Proposition 39; and

WHEREAS, the Board desires to make certain findings herein to be applicable to this election order and to establish certain performance audits, standards of financial accountability and citizen oversight that are contained in Proposition 39 and the Act; and

WHEREAS, the Board desires to authorize the submission of a proposition to the District's voters at an election to authorize the issuance of bonds to pay for certain necessary improvements and enhancements to District educational facilities; and

WHEREAS, the Board hereby determines that, in accordance with Opinion No. 04-110 of the Attorney General of the State of California, the restrictions in Proposition 39 which prohibit any bond money from being wasted or used for inappropriate administrative salaries or other operating expenses of the District shall be strictly monitored by the District's Citizens' Oversight Committee; and

WHEREAS, pursuant to Education Code Section 15270, based upon a projection of assessed property valuation, the Board has determined that, if approved by voters,

the tax rate levied to meet the debt service requirements of the bonds proposed to be issued will not exceed the Proposition 39 limits per year per \$100,000 of assessed valuation of taxable property; and

WHEREAS, Elections Code Section 9400 *et seq.* requires that a tax rate statement be contained in all official materials relating to the election, including any ballot pamphlet prepared, sponsored, or distributed by the District; and

WHEREAS, the Board desires to authorize the filing of a tax rate statement and ballot argument in favor of the proposition to be submitted to the voters at the election; and

WHEREAS, pursuant to the Elections Code, it is appropriate for the Board to request consolidation of the election with any and all other elections to be held on Tuesday, November 8, 2016, and to request the Los Angeles County Registrar of Voters to perform certain election services for the District;

NOW THEREFORE, THE BOARD OF TRUSTEES OF THE WALNUT VALLEY UNIFIED SCHOOL DISTRICT DOES HEREBY RESOLVE, DETERMINE, AND ORDER AS FOLLOWS:

Section 1. That the Board, pursuant to Education Code Sections 15100 *et seq.*, 15264 *et seq.*, and Government Code Section 53506, hereby requests the Los Angeles County Registrar of Voters to conduct an election under the provisions of Proposition 39 and the Act and submit to the electors of the District the question of whether bonds of the District in the aggregate principal amount of \$152,880,000 (the "Bonds") shall be issued and sold for the purpose of raising money for the projects described in Exhibits "A" and "B" hereto. Both exhibits are directed to be printed in the voter pamphlet.

Section 2. That the date of the election shall be November 8, 2016.

Section 3. That the purpose of the election shall be for the voters in the District to vote on a proposition, a copy of which is attached hereto and marked Exhibit "A," incorporated by reference herein, and containing the question of whether the District shall issue the Bonds to pay for improvements to the extent permitted by such proposition. In compliance with Proposition 39 and the Act, the ballot propositions in Exhibits "A" and "B" are subject to the following requirements and determinations:

(a) that the proceeds of the sale of the Bonds shall be used only for the purposes set forth in the ballot measure and not for any other purpose,

including teacher or administrator salaries or other school operating expenses;

- (b) that the Board, in establishing the projects set forth in Exhibit "B," evaluated the safety, class size reduction, classroom, and information technology needs of the District as well as the importance of the projects to student achievement and high quality instruction;*
- (c) that the Board shall cause an annual, independent performance audit to be conducted to ensure that the Bond monies get spent only for the projects identified in Exhibit "B" hereto;*
- (d) that the Board shall cause an annual, independent financial audit of the proceeds from the sale of Bonds to be conducted until all of the Bond proceeds have been expended;*
- (e) that the Board shall appoint a Citizens' Oversight Committee in compliance with Education Code Section 15278 no later than 60 days after the Board enters the election results in its minutes pursuant to Education Code Section 15274;*
- (f) that the tax levy authorized to secure the Bonds of this election shall not exceed the Proposition 39 limits per \$100,000 of taxable property in the District when assessed valuation is projected by the District to increase in accordance with Article XIII A of the California Constitution; and*
- (g) that construction contracts paid for from bond proceeds shall be awarded based on sealed competitive bidding by prequalified bidders; and*
- (h) that the District commits 3% of general fund budget for facilities maintenance; and*
- (i) that not more than 20% of bond funds can be spent on items with useful life of less than bond term; and*
- (j) that not more than 33% of bond funds of each series of bonds can be used for soft costs; and*

(k) that for each series of bonds the District must state anticipated total cost of borrowing for each series of bonds prior to the bond issuance.

Section 4. That the authority for ordering the election is contained in Education Code Sections 15100 *et seq.*, 15264 *et seq.*, and Government Code Section 53506.

Section 5. That the authority for the specifications of this election order is contained in Sections 5322 of the Education Code.

Section 6. That the Los Angeles County Registrar of Voters and the Los Angeles County Board of Supervisors are hereby requested to consolidate the election ordered hereby with any and all other elections to be held on November 8, 2016, within the District. Pursuant to Elections Code Section 10403 the Board acknowledges that the consolidation election will be held and conducted in the manner prescribed in Elections Code Section 10408.

Section 7. That the Secretary of the Board is hereby directed to deliver a certified copy of this Resolution to the Los Angeles County Registrar of Voters no later than August 12, 2016.

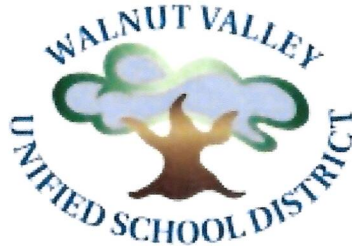
Section 8. The Bonds may be issued pursuant to Education Code Section 15264 *et seq.* or pursuant to Government Code Section 53506. The maximum rate of interest on any Bond shall not exceed the maximum rate allowed by Education Code Sections 15140 to 15143, as modified by Government Code Section 53531.

Section 9. That the Board requests the governing body of any such other political subdivision, or any officer otherwise authorized by law, to partially or completely consolidate such election and to further provide that the canvass of the returns of the election be made by any body or official authorized by law to canvass such returns, and that the Board consents to such consolidation. The Board further authorizes the submission of a tax rate statement and primary and rebuttal arguments, as appropriate, to be filed with the Los Angeles County Registrar of Voters by the established deadlines.

Section 10. Pursuant to Education Code Section 5303 and Elections Code Section 10002, the Board of Supervisors of Los Angeles County is requested to permit the Registrar of Voters to render all services specified by Elections Code Section 10418 relating to the election, for which services the District agrees to reimburse Los Angeles County, such services to include the publication of a Formal Notice of School Bond

Election and the mailing of the sample ballot and tax rate statement (described in Elections Code Section 9401) pursuant to the terms of Education Code Section 5363 and Elections Code Section 12112.

ADOPTED, SIGNED AND APPROVED this 10th day of August, 2016.



Helen M. Hall

Helen M. Hall, President of the Walnut Valley
Unified School District Board of Trustees

Attest:

A handwritten signature in blue ink, appearing to be "R. P. Taylor", is written above a horizontal line.

Dr. Robert P. Taylor, Secretary of the Walnut
Valley Unified School District Board of Trustees

STATE OF CALIFORNIA)
)ss
LOS ANGELES COUNTY)

I, Dr. Robert P. Taylor, do hereby certify that the foregoing is a true and correct copy of Resolution No. 17-02, which was duly adopted by the Board of Trustees of the Walnut Valley Unified School District at the meeting thereof held on the 10th day of August, 2016, and that it was so adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

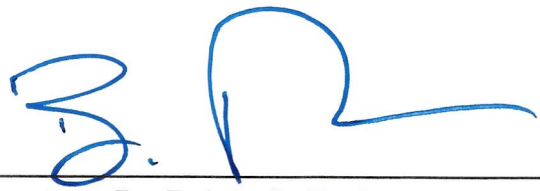
By 
Secretary, Dr. Robert P. Taylor

EXHIBIT A

"Walnut Valley Local School Improvement Measure. To upgrade classrooms, science labs, career-training facilities, libraries, and instructional technology to support student achievement in math, science, engineering, technology, and skilled trades, acquire, construct and repair classrooms, facilities, sites and equipment including repairing deteriorating roofs, plumbing, and electrical systems, and improve student safety and camera security systems, shall Walnut Valley Unified School District issue \$152,880,000 in bonds at legal interest rates, with independent citizen oversight, and all money locally-controlled?"

Bonds – Yes

Bonds – No

EXHIBIT B

FULL TEXT BALLOT PROPOSITION OF THE WALNUT VALLEY UNIFIED SCHOOL DISTRICT BOND MEASURE ELECTION NOVEMBER 8, 2016

The following is the full proposition presented to the voters by the Walnut Valley Unified School District.

"Walnut Valley Local School Improvement Measure. To upgrade classrooms, science labs, career-training facilities, libraries, and instructional technology to support student achievement in math, science, engineering, technology, and skilled trades, acquire, construct and repair classrooms, facilities, sites and equipment including repairing deteriorating roofs, plumbing, and electrical systems, and improve student safety and camera security systems, shall Walnut Valley Unified School District issue \$152,880,000 in bonds at legal interest rates, with independent citizen oversight, and all money locally-controlled?"

PROJECT LIST

The Board of Trustees of the Walnut Valley Unified School District is **committed to maintaining the quality of education in our local public schools.** To do so, the Board is determined to provide classrooms and labs for career and technology education classes so students are prepared for college and good paying jobs in fields like health sciences, engineering, technology, and the skilled trades. To that end, the Board evaluated the District's urgent and critical facility needs, including safety issues, class size, computer and information technology in developing the scope of projects to be funded. The District conducted a facilities evaluation and received extensive public input in developing this Project List through school site meetings, community presentations, opinion leader input, and interactive materials. Teachers, staff, students, community members and the Board have prioritized the key health and safety needs so that the most critical facility needs are addressed. The Board concluded that if these needs are not addressed now, the problems will only become more pressing and expensive to address. **Therefore, in approving this Project List, the Board of Trustees determines that the District must, in a fiscally responsible manner:**

- (i) **provide classrooms and labs needed for career and technology education classes so students are prepared for college and good paying jobs in fields like health sciences, engineering, technology and the skilled trades; and**

- (ii) improve student safety and school security systems, including security lighting, security cameras, emergency communication systems, smoke detectors, fire alarms and sprinklers; and
- (iii) provide classrooms to support quality of instruction in math, science, engineering, technology and the arts; and
- (iv) adhere to specific FISCAL ACCOUNTABILITY safeguards such as:
 - (a) All money raised must stay in the District and the State must be prohibited from taking any of the funds raised,
 - (b) All expenditures must be subject to annual independent financial audits, and
 - (c) An independent citizens' oversight committee must be appointed to ensure that all funds are spent only as authorized.

The Project List includes the following types of upgrades and improvements at the District schools. However, **the District has developed a specific list of projects by school site to be funded with this Measure and has made initial cost estimates for those projects. This list was approved by the Board of Trustees on August 10, 2016, and is incorporated herein in full by this reference. The list can be found on the District's website at www.wvusd.k12.ca.us.** The following descriptions are summaries of the types of projects on the approved list.

Renovation, Repair and Upgrade Projects Which Support Student Achievement

Goal and Purpose: Since providing classrooms and labs for career and technology education classes so students are prepared for college and good paying jobs in fields like health sciences, engineering, technology and the skilled trades is critical, local schools will benefit from projects including:

- Repair or replace deteriorating roofs, plumbing, and electrical systems.
- Upgrade aging heating, air conditioning and lighting systems.
- Upgrade classrooms, science labs and libraries to keep pace with technology.
- Repair and modernize old schools, outdated classrooms and school buildings.

- Add electrical service capacity to relieve overloaded electrical systems so that it can handle modern instructional technology.
- Provide improved, up-to-date technology infrastructure.
- Add classrooms, facilities and technology needed to support quality instruction in math, science, engineering and technology.

Safety and Security Projects Needed For Students to Succeed in High School, College and Careers

Goal and Purpose: Since good, safe and up-to-date schools are a wise investment to (i) help protect and improve local property values, (ii) protect the quality of life in our community, (iii) maintain the quality of education, and (iv) provide advanced courses in core subjects like math, science, engineering and technology, schools and school sites will benefit from a variety of safety and security projects, such as:

Student Safety

- Upgrade fire alarm systems to automatic systems, repair fire safety equipment, add sprinklers and fire safety doors to make students safe in the event of an emergency.
- Upgrade and install new security systems, such as security lighting, fencing, smoke detectors, and fire alarms.
- Replace aging, outdated portables with permanent classrooms that meet 21st Century health, safety and academic standards.
- Retrofit older buildings so that they are earthquake safe.
- Upgrade emergency communication systems to improve student safety.
- Remove hazardous materials like asbestos and lead paint from older school sites.

* * *

Each project is assumed to include its share of furniture, equipment, architectural, engineering, and similar planning costs, program/ construction management, staff training expenses and a customary contingency, and escalation for unforeseen design and construction costs. In addition to the listed projects stated above, the Project List also includes the payment of the costs of preparation of all facility planning, facility assessment reviews, environmental studies, construction

documentation, inspection and permit fees, and temporary housing of dislocated District activities caused by bond projects. The upgrading of technology infrastructure includes, but is not limited to, servers, switches, routers, modules, smart boards, sound projection systems, wireless networks, portable interface devices, printers, upgrade voice-over-IP, phone systems, call manager and network security and firewall systems, computers, and other miscellaneous equipment. The repair of school facilities includes the upgrading and replacing school site parking, campus accessibility, utilities, and grounds, playground equipment, hard court surfaces, shade structures for student assembly and protecting students from inclement weather during lunch, libraries, District support facilities, multi-purpose rooms, cafeterias; enhance signage; install fire sensor; construct and upgrade athletic facilities, gyms, and play fields including turf, upgrade electrical wiring; construct labs, music and staff support rooms and restrooms; renovate and paint interior and exterior building surfaces to extend their useful life; improve security, install safety and communication systems and equipment; renovate classrooms, including music and art classrooms and facilities; upgrade window and floor coverings (including tiles and carpeting); acquire kitchen equipment, upgrade irrigation systems; make improvements and acquire furnishings and/or other electronic equipment and systems; install solar and water recycling and energy efficiency management systems. The Project List also includes the refinancing of any outstanding lease obligations, or the bridge loans taken to initiate voter approved projects. The allocation of bond proceeds may be affected by the District's receipt of State matching funds and the final costs of each project. The budget for each project is an estimate and may be affected by factors beyond the District's control. The final cost of each project will be determined as plans are finalized, construction bids are awarded and projects are completed. Based on the final costs of each project, certain of the projects described above may be delayed or may not be completed. Demolition of existing facilities and reconstruction of facilities scheduled for repair and upgrade may occur, if the Board determines that such an approach would be more cost-effective in creating enhanced and operationally efficient campuses. Necessary site acquisition, preparation/restoration and landscaping, may occur in connection with new construction, renovation or remodeling, or installation or removal of relocatable classrooms, including ingress and egress, removing, replacing, or installing irrigation, utility lines, trees and landscaping, redirecting fire access, and acquiring any necessary easements, licenses, or rights of way to the property.

Bond proceeds shall be expended only for the purposes identified herein. Proceeds of the bonds may be used to pay or reimburse the District for the cost of District staff when performing work on or necessary and incidental to the bond projects. The District shall create an account into which proceeds of the bonds shall

be deposited and comply with the reporting requirements of Government Code § 53410.

FISCAL ACCOUNTABILITY: IN ACCORDANCE WITH EDUCATION CODE SECTION 15272, THE BOARD OF TRUSTEES WILL APPOINT A CITIZENS' OVERSIGHT COMMITTEE AND CONDUCT ANNUAL INDEPENDENT AUDITS TO ASSURE THAT FUNDS ARE SPENT ONLY ON DISTRICT PROJECTS AND FOR NO OTHER PURPOSE. THE EXPENDITURE OF BOND MONEY ON THESE PROJECTS IS SUBJECT TO STRINGENT FINANCIAL ACCOUNTABILITY REQUIREMENTS. BY LAW, PERFORMANCE AND FINANCIAL AUDITS WILL BE PERFORMED ANNUALLY, AND ALL BOND EXPENDITURES WILL BE MONITORED BY AN INDEPENDENT CITIZENS' OVERSIGHT COMMITTEE TO ENSURE THAT FUNDS ARE SPENT AS PROMISED AND SPECIFIED. THE CITIZENS' OVERSIGHT COMMITTEE MUST INCLUDE, AMONG OTHERS, REPRESENTATION OF A BONA FIDE TAXPAYERS ASSOCIATION, A BUSINESS ORGANIZATION AND A SENIOR CITIZENS ORGANIZATION. NO DISTRICT EMPLOYEES OR VENDORS ARE ALLOWED TO SERVE ON THE CITIZENS' OVERSIGHT COMMITTEE.

No Administrator Salaries: Proceeds from the sale of the bonds authorized by this proposition shall be used only for the acquisition, construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities, and not for any other purpose, including teacher and school administrator salaries and other operating expenses.